

REMARKS

Favorable reconsideration of this application is requested in view of the foregoing amendments and the following remarks. Claims 1-2, 5-17 and 24-29 are pending in the application. Claims 3-4 are canceled without prejudice or disclaimer. Claims 18-23 were previously canceled without prejudice or disclaimer.

The claims are amended in order to more clearly define the invention, support for which is found in the figures and related parts of the specification. Specifically, support for the amendments to claims 1, 15 and 24 is found in Figure 1B and lines 13-21 of page 9 of this application as originally filed.

Claims 1-17 and 24-29 were rejected under 35 USC 103 as obvious over Logston et al. (US Pat. No. 6,687,735, hereinafter Logston) in view of Armentrout et al. (US Pat. No. 6,463,457, hereinafter Armentrout). With regard to the claims as amended, this rejection is untenable.

All of the independent claims (i.e., claims 1 and 15) are amended to require a first distributor server set and a second distributor server set coupled to the first distributor server set, the second distributor server set including a first server. Logston and/or Armentrout do not describe or teach a first distributor server set and a second distributor server set coupled to the first distributor server set.

Moreover, both of the independent claims are amended to require that the first distributor server set redirects the computing task to the first server of the second distributor server set and that the first server allocates the computing task to the second server that executes the allocated computing task. Logston and/or Armentrout do not describe or teach that a first distributor server set redirects the computing task to the first server of the second distributor server set and that

the first server allocates the computing task to the second server that executes the allocated computing task.

The presently claimed invention is more efficient than previous approaches. Specifically, each distributor set only manages the next set of servers (distributor or fulfillment). This reduces the size of lookup tables and increases the speed of search for the next server to pass the request to -- reducing distributor server memory and processor requirements and hence, reducing the cost of distributor servers.

In addition, assuming each of the two claims distributor sets includes more than two servers, the presently claimed invention provides for graceful degradation when distributor server failure occurs, depending upon the number of servers in a set. For example, if there are 5 servers in a distributor set, failure in that set increases the load on the remaining servers by 20 percent, but still enables access to all active fulfillment servers.

The claimed invention is not disclosed or suggested by Logston and/or Armentrout because these references do not describe or teach a first distributor server set and a second distributor server set coupled to the first distributor server set. Moreover, the claimed invention is not disclosed or suggested by Logston and/or Armentrout because these references do not describe or teach that a first distributor server set redirects the computing task to the first server of the second distributor server set and that the first server allocates the computing task to the second server that executes the allocated computing task.

Accordingly, withdrawal of this rejection is respectfully requested.

Other than as explicitly set forth above, this reply does not include acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. In view of the above, all the claims are considered patentable and allowance of all the claims is respectfully requested. The Examiner is invited to telephone the undersigned (at direct

line 512-394-0118) for prompt action in the event any issues remain that prevent the allowance of any pending claims.

In accordance with 37 CFR 1.136(a) pertaining to patent application processing fees, Applicant requests an extension of time from December 29, 2004 to March 29, 2005 in which to respond to the Office Action dated September 29, 2004. A notification of extension of time is filed herewith.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3204 of John Bruckner PC.

Respectfully submitted,

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